

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**  
FEB 3 5 2007

*[Signature]*  
CLERK

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANASTACIO OJEDA-RODRIGUEZ,

Defendant.

CR 07-40005

ORDER

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Pending before the Court is the Defendant's Petition to Enter a Plea of Guilty and Factual Basis Statement. A hearing to take the plea was held before the Magistrate Judge on January 16, 2007, and Judge Simko issued a Report and Recommendation recommending to this Court that the plea be accepted and the Defendant be adjudged guilty as charged in the Indictment with Illegal Reentry After Deportation in violation of 8 U.S.C. § 1326(a). After a careful review of the file, and the time for objections having expired,

IT IS ORDERED:

1. That the Magistrate Judge's Report and Recommendation is ADOPTED by the Court, the plea is accepted and the Defendant Anastacio Ojeda-Rodriguez is adjudged guilty.

Dated this 4<sup>th</sup> day of February, 2007.

BY THE COURT:

*[Signature of Lawrence L. Piersol]*

Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

BY: *[Signature of Sherry Margules]*  
DEPUTY